



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/578,232	05/03/2006	Takayuki Shimutani	2271/76217	9478
23432 7590 12/04/2009 COOPER & DUNHAM, LLP 30 Rockefeller Plaza 20th Floor NEW YORK, NY 10112			EXAMINER ZHANG, FAN	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 12/04/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/578,232

Applicant(s)

SHIMATANI, TAKAYUKI

Examiner

FAN ZHANG

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 November 2009 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/GS/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's remarks filed on November 04, 2009 have been acknowledged. Applicant's arguments in regard to amended claims are moot in view of a new ground of rejection necessitated by the corresponding amendments. The amendments to the specification have been accepted with no new matter found. The amended drawing Fig. 2 has been objected for the reason below. Currently, claims 1-10 remain rejected.

Response to Amendments

Drawings

2. The drawings are objected to for the following error. In fig. 2 of the replacement sheet, the arrow from Two-Way Communication Module 21 of Client PC 2 should go to Language Monitor 12 of Host PC 1 instead of Port Monitor 13. See support from p0034 and p0035 of the spec and the original fig. 2.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 4, 6, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kadota (US Pub: 2004/0034862) and in further view of Tokura (US Patent: 6,879,410).

Regarding claim 1 (currently amended), Kadota teaches: A method for obtaining a status, wherein a server computer and a client computer connected to a network share a printer connected to said server computer [fig. 3, p0105, p0106], said method comprising: enabling two-way communication regardless of an operating system of the client computer and obtaining status information of the printer via the server computer; obtaining from the registry, in a case where the two-way communication is enabled, printer information set by the operating system of the client computer [p0107-p0111, p0152-p0155].

Kadota does not teach setting/enabling a two-way communication flag through a user interface. In the same field of endeavor, Tokura teaches: obtaining from a registry of the client computer a two-way communication flag which is set by a user utilizing a user interface of the client computer; determining whether the two-way communication flag is set in a state where the two-way communication is enabled, and if the two-way communication flag is in the state where the two-way communication is enabled, obtaining from the registry, in a case where the two-way communication is enabled, printer information set by the operating system of the client computer; and determining whether a two-way flag of the printer information is ON after the printer information is obtained, and in a case where the two-way flag is ON, executing the two-way communication [col 5: lines 20-35, col 8: lines 52-56, fig. 2: (1) (2)]. Although a two-way

communication flag stored in a registry is not explicitly stated, such an indication or a similar structure has to inherently exist or the corresponding actions based on operator selection on step 1 of figs. 2 and 3 will not be possible. Performing two-way communication between a computer and a printer on demand has been well practiced in the art as prescribed by Tokura. Therefore, it would have been obvious for an ordinary skilled in the art to combine the teaching of Kadota and Tokura to implement computer-printer two-way communication on demand for the purpose of offering user options and flexibility on communication control.

Regarding claim 3 (currently amended), Kadota teaches: A printer driver [fig. 3: unit 3b] applicable to a system in which a server computer and a client computer connected to a network share a printer connected to said server computer [fig. 3, p0105-p0107], comprising: a two-way communication unit to obtain status information of said printer by performing two-way communication with said server computer, the two-way communication is enabled regardless of an operating system of the client computer [p0107-p0111, p0152-p0155]; and a print property screen for showing print property information [p0082, p0091, p0099].

Kadota does not teach setting/enabling a two-way communication flag through a user interface. In the same field of endeavor, Tokura teaches: a user interface including a two-way communication setting screen for a user to set a two-way communication flag stored in a registry of the client computer [col 5: lines 20-32], wherein when the two-way communication flag stored in the registry of the client computer is set to a state to

indicate that the two-way communication is enabled, and wherein in a case when the print property screen is opened and the printer driver determines that the two-way communication is enabled, the printer driver obtains printer information set by the operating system of the client computer from the registry of the client computer, determines after the printer information is obtained whether a two-way flag in the printer information is ON, and in a case where the two-way flag in the printer information is ON, the two-way communication is executed [col 5: lines 20-35, col 8: lines 52-56, fig. 1, fig. 2: (1) (2)]. Although a two-way communication flag stored in a registry is not explicitly stated, such an indication or a similar structure has to be inherently existing or the corresponding actions based on operator selection on step 1 of figs. 2 and 3 will not be possible. Performing two-way communication between a computer and a printer on demand has been well practiced in the art as prescribed by Tokura. Therefore, it would have been obvious for an ordinary skilled in the art to combine the teaching of Kadota and Tokura to implement computer-printer two-way communication on demand for the purpose of offering user options and flexibility on communication control.

Regarding claim 4 (currently amended), the rationale applied to the rejection of claim 3 has been incorporated herein. Kadota further teaches: The printer driver as claimed in claim 3, wherein: the two-way communication unit performs the two-way communication by using a language monitor of said server computer as a server [fig. 3: unit 2d]; and the two-way communication unit performs the two-way communication

without depending on an operating system [p0108].

Claim 6 (currently amended) has been analyzed and rejected with regard to claim 3 and in accordance with Kadota's further teaching on an information processing device [fig. 3: unit 3] and Tokura's teaching on a registry configured to store printer information and a two-way communication flag [fig. 1: units 104, 102, col 6: lines 1-10].

Regarding claim 7 (currently amended), the rationale applied to the rejection of claim 6 has been incorporated herein. Claim 7 has been analyzed and rejected with regard to claim 4.

5. Claims 2, 5, and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kadota (US Pub: 2004/0034862) and Tokura (US Patent: 6,879,410); and in further view of Ohta (US Pub: 2006/0001908). (The date of division of application No. 09/676,091 filed on Oct. 2, 2000 is used for rejection. The publication 2006/0001908 is referenced for simplicity purpose.)

Regarding claim 2 (original), Kadota further teaches: The method for obtaining the status information as claimed in claim 1, wherein said status information to be obtained is at least one of option information indicating whether a mountable option is mounted on said printer, version information regarding a version of said printer, and status displaying information regarding a status of said printer [fig. 12: S1314]. Kadota discloses a display unit that is capable of displaying received printer status information

on a client computer PC3 in fig. 2, unit 34 although Kadota does not explicitly prescribe printer status information being displayed on PC3. In the same field of endeavor, Ohta teaches displaying status of a printer in [p0044]. Displaying printer status information on a client computer has been well known and practiced in the art as prescribed by Ohta. Therefore, it would have been obvious for an ordinary skilled in the art to combine the teaching of Kadota and Ohta to allow printer status information to be displayed on a client computer for the purpose of informing user related printing information.

Regarding claim 5 (previously presented), the rationale applied to the rejection of claim 3 has been incorporated herein. Claim 5 has been analyzed and rejected with regard to claim 2.

Regarding claims 8, 9, and 10 (previously presented), the rationale applied to the rejections of claims 6, 7, and 4 has been correspondingly incorporated herein. Claims 8, 9, and 10 have been analyzed and rejected with regard to claim 5.

Conclusion

6. Applicant's amendment necessitated the new grounds of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fan Zhang whose telephone number is (571) 270-3751. The examiner can normally be reached on Mon-Fri from 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark K. Zimmerman can be reached on (571) 272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Art Unit: 2625

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Fan Zhang/

Patent Examiner

/Mark K Zimmerman/

Supervisory Patent Examiner, Art Unit 2625